

The Legality of Martyrdom Operations

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The Legality of martyrdom operations, and proof that they are not “killing oneself”

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The Book of – A Muslim Killing himself is forbidden

From the ways in which Allah puts His believing servants to trial is that He inflicts them with hardship, and the befalling of hardship on the Believers is for two reasons:

Firstly- Trial and tribulations, As Allah, the Almighty, says

وَلَنَبْلُوَنَّكُمْ بِشَيْءٍ مِّنَ الْخَوْفِ وَالْجُوعِ وَنَقْصٍ مِّنَ الْأَمْوَالِ وَالْأَنْفُسِ وَالثَّمَرَاتِ ۗ
وَبَشِّرِ الصَّابِرِينَ ۖ الَّذِينَ إِذَا أَصَابَتْهُمُ مُصِيبَةٌ قَالُوا إِنَّا لِلَّهِ وَإِنَّا إِلَيْهِ رَاجِعُونَ
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And We will most certainly try you with somewhat of fear and hunger and loss of property and lives and fruits; and give good news to the patient, (155) Who, when a misfortune befalls them, say: Surely we are Allah’s and to Him we shall surely return. (156) (Surah alBaqarah 155-156)

Secondly- As an atonement for the sins of the Believer and to raise his status as was narrated by Imam Tirmidhi from the hadith of Abu Hurairah, in an authentic narration – that the Prophet (peace be upon him said) “Calamities will continue to befall believing men and women in themselves, their children and their wealth, until they meet Allaah with no burden of sin.” (1)

So, if hardship befalls a Believer then he should be patient, and not hasten himself to Allah (i.e. suicide) in order to escape the hardship out of despondency and

impatience, and if he hastens himself to Allah in order to escape the hardship then he is a defiant sinner, and it reveals the shallowness of faith and weakness in belief as the Prophet (peace be upon him) said “A man was inflicted with wounds and he committed suicide, and so Allah said: My slave has caused death on himself hurriedly, so I forbid Paradise for him.” (2)

The Prophet, peace be upon him, has also been repeatedly reported as encouraging people not to kill themselves as an escape or despondency from life and from these Ahadith is one narrated by Bukhari from the hadith of Abu Hurairah, who said that Prophet (peace be upon him) said “He who commits suicide by throttling shall keep on throttling himself in the Hell Fire (forever) and he who commits suicide by stabbing himself shall keep on stabbing himself in the Hell-Fire”

And it has been confirmed of the Prophet that he did not pray at the funeral of those who committed suicide. Narrated by Imam Abu Daud in his Sunan (3). And the majority of the scholars understood from the hadith of avoiding the funeral prayer of the one who committed suicide, was in order to make people avoid doing it, as was said by Ibrahim bin Rahwiyah (4), and Khatabi reported from most of the Fuqahaa that he is to be prayed upon, and that is the right thing to do in the matter 5 and Muslim narrated in his Sahih that the Prophet (peace be upon him) prayed a good prayer for those who committed suicide 6 and this shows that the one who commits suicide is entered into Masheeah – if it is willed, he will be forgiven, and if it is willed he will be punished.

Then it has been revealed that the evil it is forbidding is lack of patience and despondency, and desiring death faster in order to get rid of the pain and the problems of life, and this appears clearly in the stopping of a Believer from desiring death due to a calamity that has befallen him, “No one of you should wish for death because of some harm that has befallen him, but if he must do that then let him say: ‘O Allaah, keep me alive so long as life is good for me, and cause me to die when death is good for me.’” And this is different from a Muslim wanting martyrdom and wanting to be killed by the hand of a Kafir.

Section- Legality of throwing one self into destruction for Legal (Shari') reasons

From what the scholars in the books of fiqh have summarised, on the legality of plunging of a man into the rows of the Kuffar, even if he is sure to be destroyed, if in it is the benefit of the Muslims:

1- Muhammed ibn Hasan Ash Shaibani – Abu Hanifa's companion – said, in the book of Sear Al Kabeer: " If one person attacks 1000 polythesists, there is nothing wrong with it, if he hopes to be spared or means vexing the enemy. So if his intention is to encourage the Muslims over them, so that they do as he did, then it is legal, for in it is the benefit of the Muslims on some issues. And if he means to terrorise the enemy, and to teach them the firmness of the Muslims in religion then too it is legal. And if in it is the benefit of the Muslims and he sacrificed himself to glorify the religion of Allah, and to humiliate disbelief then that is the honorable station that has been praised by Allah concerning the Believers in His saying "Indeed, Allah has purchased from the believers their lives"... to the other verses of praise with which Allah has praised His slaves who exert themselves (7)

2- Ibn Al Khuwaiz Miqdad – one of the scholars of Maliki – said: "And as for the person who attacks 100, or a unit of the army, or a group of thieves and fighters and Khawarij, then there are two conditions: if he knew and is probable that he will kill those he attacks and get saved, then its better, and similarly if he knew and was probable that he will get killed, but will vex greatly or have an effect that will benefit the Muslims then it is permissible too (8)"

3- Ibn Hajar Al Asqalani said: "As for the matter of one person attacking a larger number of enemy, then the consensus is that if it is to show his courage and he hopes to terrify the enemy with that, and encourage the Muslims against them, or similar correct intentions then it is good, and when it is only rashness then it is not allowed, especially if it causes weakness in the Muslims" (9)

4- Ibn At Taymiyyah, may Allah have mercy on him said: the four scholars have declared permissible, the plunging in to the rows of the polytheists, even if he is probable that they will kill him, if that was beneficial for the Muslims (10)

As for the proofs that the scholars gave in argument of the legality of throwing oneself into death for legal reasons, then they are many, and we will mention some of them:

1- Muslim narrated in his Sahih (11) on the authority of Abu Bakr bin Musa, he said, "I heard Abu Hurairah in the presence of the enemy, saying "the Prophet (peace be upon him) said: "the gates of Paradise are under the shade of swords" a heavily built man then stood up and said "O Abu Musa, you heard the Messenger of Allah, say this?". He said 'Yes', then the man returned to his comrades and said "I give my salaam to you", and then he broke his sheath and walked with his sword into the enemy and attacked until he was killed".

2- Muslim narrated in his Sahih (12) from the Hadith of Anas ibn Malik, and he mentioned in it the story of Badr, and said: "The polytheists (now) advanced (towards us), and the Messenger of Allah (may peace be upon him) said. Get up to enter Paradise which is equal in width to the heavens and the earth. 'Umair b. al-Humam al-Ansari said: Messenger of Allah, is Paradise equal in extent to the heavens and the earth? He said: Yes. 'Umair said: My goodness! The Messenger of Allah (may peace be upon him) asked him: What prompted you to utter these words (i. e. my goodness!)? He said: Messenger of Allah, nothing but the desire that I be among its residents. He said: Thou art (surely) among its residents. He took out dates from his bag and began to eat them. Then he said: If I were to live until I have eaten all these dates of mine, it would be a long life. (The narrator said): He threw away all the dates he had with him. Then he fought the enemies until he was killed"

And many other Hadith other than it...

Section- the reality of the modern martyrdom operations

The martyrdom operations- Suicide- these days have several understandings and ways, and from them are-

1- The Mujahid carries explosives and does salam and throws himself in a place where there are many enemies, and he is sure of dying, but he dies by the hand of the enemy and not with his own weapon or explosives that he carries, and this condition is same as what was talked by the scholars in the second section.

2- The Mujahid blows himself up or his car in the middle of the enemy to cause vexation, and this condition though it was not present in the earlier times due to the absence of its tools, but it happens in the current times. It is similar with the previous picture in two matters and different in one

It is similar with the second picture in:

Being sure of death of the Mujahid, or most probable, and that is by the fact that both of them strive with their selves, being sure, or almost sure, of not coming back.

And also is similar that its aims are similar to those proposed by the righteous predecessors in the legality of the second picture, and that is to cause either vexation in the enemy or strengthening the selves of their companions (13)

And it is different from the second picture and is similar to the picture of killing oneself that is forbidden, is that the Mujahid is not killed by the hand of the enemy instead is killed by his own hand, or the material with which he will kill his enemies or opponents, so it is similar to the picture of killing oneself in this door.

So do we join it with the second praised picture or the picture of killing oneself that is forbidden?

If we know that the reason for forbidding killing oneself is impatience and dissatisfaction, and it is a situation that shows little belief, and weakness in faith, and non reliance, not just because of killing by ones own hands, we would know that joining it with the second picture (killing oneself) is quite far-fetched, and does not match with it, and the reason for this fairness : is that if this person gives another person a weapon and asks him to kill him with it, or asks someone else to put poison in his food, or a gun to shoot him with, he would still be considered as killing himself, with no difference in anything had he killed himself with his own hands, so the matter is not returned to the apparent picture instead it returns to the intention as its owner wanted.

And what clears this matter is the story of the boy in the case of the people of Ukhdood, for the boy said to the King “You will not be able to kill me until you do as I order you” so he asked: and what is that. He said : you gather the people on one mount, and crucify me to a branch, then take an arrow from my pack, and put the arrow in the bow, and say “In the name of Allah, the Lord of the boy” and then shoot it, for if you say that then you will kill me, so he gathered the people on one mount, and crucified him to a branch, then he took an arrow from his pack, and put the arrow in the bow, and said “IN the name of Allah, the Lord of the boy” and shot him, and the arrow landed in his chest and he put his hand on his chest at the place of the arrow, and died, so the people said : we have believed in the Lord of the boy” (14)

So look at this boy, how he directed the unbeliever to kill him, instead he told him of the only way he could kill him, and his reason for that was the good will of the manifestation of belief and its popularity, so joining this picture with the second picture – the praised and incited one – is more rightful and correct, than joining it with the forbidden picture of killing oneself. And this is not of our legislation to be

argued with, instead it has been argued with by the predecessors of Islam without denial (15)

And then it is also said that it is well known that the Muslims killing of other Muslims is from the greatest of sins and crimes than killing oneself, for the person who violates others rights and oppresses him is greater in sin than the one who transgresses himself, as Ibn Hajar said in the explanation of the saying of Bukhari (Door of what has come in Killing oneself) He said : Bukhari intended to follow the topic of killing of oneself with the killing of others with precedence, because if the one who kills himself is someone who is not used to transgress himself, he is promised very severely so better than to transgress others is killing oneself (16)

And from what has been declared permissible by the consensus of the scholars is the killing of a Muslim, his Muslim brother while he is inviolable, killing him in case of shielding.

And the picture of the situation is: if the unbelievers shield themselves with the prisoners of Muslims, then is it permissible to kill the shield – the Muslim prisoners – so that the unbelievers are not victorious over the Muslims.

The majority of the people of knowledge have said: it is legal to kill the shield due to the presence of the religious motive, and the consequent benefit, and that is causing vexation in the enemy and not leaving the opportunity of defeating them, and bringing victory to the Muslims, and that is a picture in which it is permissible for a person to kill himself if these aims are fulfilled

A picture of praised martyrdom operations

1- Qurtubi said : I heard that the army of Muslims, when it met the Persians, the horses of the Muslims fled fearing the elephants. One of them (the Muslims)

made an elephant out of clay and made his horse familiar with it, the next day, his horse did not run from the elephant, so he attacked the elephant that was leading. He was told 'It will certainly kill you'. He said, 'No grief, that I die and the Muslims win' (17)

2- Bayhaqi narrated in his Sunan, that Iqrimah bin Abi Jahl got off his horse on the day of Yarmuq, Khalid told him "Don't do it, for your death will be severe on the Muslims" He replied "Leave me O Khalid, for you had with the Prophet of Allah (peace be upon him) a history, and I and my father were from the severest of people on the Prophet(peace be upon him)" then he went forth until he was killed (18)

Guidance is from Allah

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